

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

PATRICK JEROME STEWARD,

Plaintiff,

v.

KELLY KING, et al.,

Defendants.

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No. 4:19-CV-1395 NAB

**MEMORANDUM AND ORDER**

This matter is before the Court upon its own motion. *Pro se* plaintiff has submitted an unsigned complaint in this action. Under Federal Rule of Civil Procedure 11, every written pleading or motion must be signed “by a party personally if the party is unrepresented” and the Court may strike an unsigned paper “unless the omission is promptly corrected after being called to the . . . party’s attention.” Similarly, the local rules of this Court also require that all filings be signed by the party or the party’s attorney. E.D. Mo. L.R. 2.01(A)(1). In this case, plaintiff’s complaint contains the first five (5) pages of the Court’s Prisoner Civil Rights Complaint form but it is missing pages six (6) through ten (10), which include the signature page. As a result, the Court will order the Clerk to return the complaint to plaintiff, along with a blank complaint form, so that plaintiff may complete the remaining pages, sign it, and return it to the Court for filing.

In addition, plaintiff’s motion to proceed *in forma pauperis* (ECF No. 3) is defective because it has not been drafted on the Court’s form and it does not include the required inmate account statement. The Court will direct the Clerk of Court to also mail plaintiff an Application to Proceed without Prepaying Fees and Costs form. If plaintiff fails to comply with this Order, plaintiff’s action will be dismissed.

Accordingly,

**IT IS HEREBY ORDERED** that the Clerk shall return plaintiff’s complaint to him along

with a blank copy of the Court's prisoner civil rights complaint form.

**IT IS FURTHER ORDERED** that the Clerk is directed to mail to plaintiff a copy of the Application to Proceed in District Court without Prepaying Fees and Costs form.

**IT IS FURTHER ORDERED** that plaintiff shall complete and sign the complaint and return it to the Court within **thirty (30) days** of the date of this Order.

**IT IS FURTHER ORDERED** that plaintiff shall submit an Application to Proceed in District Court without Prepaying Fees and Costs form within **thirty (30) days** of the date of this Order.

**IT IS FINALLY ORDERED** that if plaintiff fails to comply with this Order, plaintiff's action shall be dismissed without prejudice.

Dated this 4th day of June, 2019.

  
NANNETTE A. BAKER  
UNITED STATES MAGISTRATE JUDGE